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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,105	03/01/2002	James R. Fore SR.	4287-011	4186

24112 7590 11/06/2003
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EXAMINER

LANGDON, EVAN H

ART UNIT PAPER NUMBER

3654

DATE MAILED: 11/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/087,105

Applicant(s)

FORE ET AL.

Examiner

Evan H Langdon

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 1,2,9 and 10 is/are rejected.
- 7) ☒ Claim(s) 3-8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: .

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "566", and "568" have been used to designate both a fixed control roller and a moveable control roller in Figures 8A and 8B, and in the specification page 18, lines 7-26 and page 19, lines 1-24. The reference characters "566" and "568" are opposite in the Figures 8A and 8B, as well as inconsistent in the specification in the areas specified above. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application.

The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

Page 9, line 11, "remote data terminal 406" and page 26, line 23, "indicator light 406."

Page 12, line 15, "housing302" should read --housing 302 --.

Page 16, line 4, "traverse arm or device 518" and page 17, line 17, "wire directional control device 518."

Page 17, line 6, "servo motor 516" needs to noted as --not shown--.

Page 18, line 23, "Figure 8," should be --Figure 8B--.

Page 29, line 4, "water," should be --wire--.

Page 31, line 13 and 16, "encounter," should be --encoder--.

Appropriate correction is required.

Claim Objections

Claims 3-7 are objected to because of the following informalities: "pivotally" on line 5 of claim 3 is not grammatically correct, should be replaced with --pivot--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 2, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Ikegami et al. (US 4,015,785).

Ikegami shows a wire winding machine, comprising:

a mandrel 1 having a removable end cap 10 for winding wire;

a clamp 9a, 10a for securing the wire to the mandrel in response to the end cap 10 being secured to the mandrel, as explain in column 6, on lines 39-43, and releasing the wire in response to the end cap being removed from the mandrel.

In regards to claim 2, Ikegami shows the securing of the wire comprises both clamping 9a, 10a and cutting 14 the wire.

With respect to claims 9 and 10, the method described in these claims would inherently result from the use of wire winding device of Ikegami as advanced above.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Cash et al. (US 6,352,215 B1).

Cash shows a wire winding machine, comprising:

a mandrel 100 having a removable end cap 13 for winding wire;

a clamp 4 for securing the wire to the mandrel in response to the end cap 13 being secured to the mandrel and releasing the wire in response to the end cap being removed from the mandrel.

Allowable Subject Matter

Claims 3-8 are allowed.

The following is an examiner's statement of reasons for allowance:

The following is a statement of reasons for the indication of allowable subject matter:

Claim 3 is allowable because the teachings of the prior art taken as a whole do not show or render obvious the combination set forth, including: a pivot lever including a clamping finger and a cutting finger, the lever actuated by the end cap and operative to clamp and cut the wire in response to the end cap being secured to the mandrel.

Claim 8 is allowable because the teachings of the prior art taken as a whole do not show or render obvious the combination set forth, including: a pivotally mounted lever including a clamping finger and a cutting finger, and where securing the end cap to the mandrel actuates the lever.

Any comments considered necessary by applicant must be submitted no later than the

Art Unit: 3654

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

ehl

Kathy Matecki
KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600